

STATE OF UTAH
 DIVISION OF WILDLIFE RESOURCES
 PROCLAMATION OF THE WILDLIFE BOARD
 FOR TAKING

BIG GAME

Bucks, Bulls and Once-In-A-Lifetime 2003

I. Purpose And Authority

R657-5-1

(1) Under authority of Sections 23-14-18 and 23-14-19, the Wildlife Board has established this proclamation for taking deer, elk, pronghorn, moose, bison, bighorn sheep and Rocky Mountain goat.

(2) Specific dates, areas, methods of take, requirements and other administrative details which may change annually are published herein.

(3) This proclamation expires January 31, 2004, unless modified or rescinded by the Wildlife Board or the director of the Division of Wildlife Resources.

II. Definitions

23-13-2 & R657-5-2

(1) "**Arrow quiver**" means a portable arrow case that completely encases all edges of the broadheads.

(2) "**Big game**" means species of hooved protected wildlife.

(3) "**Carcass**" means the dead body of an animal or its parts.

(4) "**Certificate of Registration**" means a document issued under any rule or proclamation of the Wildlife Board granting authority to engage in activities not covered by a license, permit or tag.

(5)(a) "**Domicile**" means the place:

(i) where an individual has a fixed permanent home and principal establishment;

(ii) to which the individual if absent, intends to return; and

(iii) in which the individual and the individual's family voluntarily reside, not for a special or temporary purpose, but with the intention of making a permanent home.

(b) To create a new domicile an individual must:

(i) abandon the old domicile; and

(ii) be able to prove that a new domicile has been established.

(6) "**Highway**" means the entire width between property lines of every way or place of any nature when any part of it is open to the use of the public as a matter of right for vehicular travel.

(7) "**Hunter's choice**" means either sex may be taken.

(8) "**Hunting**" means to take or pursue a reptile, amphibian, bird or mammal by any means.

(9) "**Nonresident**" means a person who does not qualify as a resident.

(10) "**Permit**" means a document, including a stamp, which grants authority to engage in specific activities under the Wildlife Resources Code or a rule or proclamation of the Wildlife Board.

(11) "**Possession**" means actual or constructive possession.

(12)(a) "**Resident**" for purposes of this proclamation means a person who:

(i) has been domiciled in the state of Utah for six consecutive months immediately preceding the purchase of a license or permit; and

(ii) does not claim residency for hunting, fishing or trapping in any other state or country.

(b) A Utah resident retains Utah residency if that person leaves this state:

(i) to serve in the armed forces of the United States or for religious or educational purposes; and

(ii) complies with Subsection (a)(ii).

(c)(i) A member of the armed forces of the United States and dependents are residents for the purposes of this chapter as of the date the member reports for duty under assigned orders in the state if the member:

(A) is not on temporary duty in this state; and

(B) complies with Subsection (a)(ii).

(ii) A copy of the assignment orders must be presented to a wildlife Division office to verify the member's qualification as a resident.

(d) A nonresident attending an institution of higher learning in this state as a full-time student may qualify as a resident for purposes of this chapter if the student:

(i) has been present in this state for 60 consecutive days immediately preceding the purchase of the license or permit; and

(ii) complies with Subsection (a)(ii).

(e) A Utah resident license or permit is invalid if a resident license for hunting, fishing or trapping is purchased in any other state or country.

(f) An absentee landowner paying property tax on land in Utah does not qualify as a resident.

(13) "**Sell**" means to offer or possess for sale, barter, exchange or trade, or the act of selling, bartering, exchanging or trading.

(14) "**Spoiled**" means impairment of the flesh of wildlife which renders it unfit for human consumption.

(15) "**Tag**" means a card, label or other identification device issued for attachment to the carcass of protected wildlife.

(16) "**Take**" means to:

(a) hunt, pursue, harass, catch, capture, possess, angle, seine, trap or kill any protected wildlife; or

(b) attempt any action referred to in Subsection (a).

(17) "**Vessel**" means every type of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

(18) "Waste" means to abandon protected wildlife or to allow protected wildlife to spoil or to be used in a manner not normally associated with its beneficial use.

III. Permit Requirements

A. Age Requirements, Restrictions and Proof of Hunter Education

23-19-22, 23-20-20, R657-5-4, 23-19-11 & R657-23-4(2)

(1) A person 14 years of age or older may purchase a permit and tag to hunt big game. A person 13 years of age may purchase a permit and tag to hunt big game if that person's 14th birthday falls within the calendar year for which the permit and tag are issued.

(2)(a) A person under the age of 14 years must be accompanied by his parent or legal guardian, or other responsible person 21 years of age or older and approved by his parent or guardian, while hunting with any weapon.

(b) A person of at least 14 years of age and under 16 years of age must be accompanied by his parent or legal guardian, or other responsible person 21 years of age or older and approved by his parent or guardian, while hunting big game with any weapon.

(c) As used in this section, "accompanied" means at a distance within which visual and verbal communication are maintained for the purposes of advising and assisting.

(3) A person born after December 31, 1965, may not purchase a hunting license or permit unless proof is presented to the Division or one of its authorized wildlife license agents that the person has passed a Division-approved hunter education course offered by a state, province or country.

(4) For purposes of this section, "proof" means:

(a) a certificate of completion of a hunter education course (in Utah referred to as a "blue card"); or

(b) a current or preceding year's hunting license or permit issued by a state, province or country with the applicant's hunter education number noted on the hunting license or permit.

(5) Any person who has completed an approved hunter education course in another state, province or country and becomes a Utah resident, must obtain a Division issued blue card prior to purchasing a resident license or permit. Proof of completion of an authorized hunter education course by another state, province or country must be presented or verified in order to obtain a Utah blue card. A transfer blue card may be obtained at any Division office at no charge.

(6)(a) If an applicant for a resident or nonresident hunting license has completed a hunter education course and is applying for a hunting permit or license through the Division's drawings, Internet site, or other electronic means authorized by the Division, the applicant's hunter education number and the name of the state, province, or country that issued the number may constitute proof of completion of a hunter education course under this section.

(b) The Division may research the hunter education number to verify that the applicant has completed a Division approved hunter education course.

B. License, Permit and Tag Requirements

23-19-1 & R657-5-3

(1) A person may not engage in hunting protected wildlife or in the sale, trade or barter of protected wildlife or their parts without first having procured the necessary licenses, Certificates of Registration,

permits and tags and having at the same time the licenses, Certificates of Registration, permits and tags on his or her person.

(2) A person may not lend, transfer, sell, give or assign licenses, Certificates of Registration, permits or tags belonging to the person or the rights granted by licenses, Certificates of Registration, permits or tags or use or attempt to use a license, Certificate of Registration, permit or tag of another person, except as provided in Section IV.A., for purposes of transporting wildlife or taking a deer for a blind or quadriplegic person.

(3) Any license, permit or tag that is mutilated or otherwise made illegible is invalid and may not be used for taking or possessing big game.

C. Duplicate Licenses

23-19-10 & R657-5-5

(1) Whenever any unexpired license, permit, tag or Certificate of Registration is destroyed, lost or stolen, a person may obtain a duplicate from a Division office for \$5 or half of the price of the original license, or permit, whichever is less.

(2) The Division may waive the fee for a duplicate unexpired license, permit, tag or Certificate of Registration provided the person did not receive the original license, permit, tag or Certificate of Registration.

D. Exhibit of License, Permit, Tag and Wildlife

23-20-25

(1) Any person while engaged in any activity regulated under the Wildlife Resources Code, shall be required upon demand of any conservation officer or any other peace officer to exhibit:

(a) the required license, permit or tag;

(b) any device or apparatus in that person's possession used for any activity regulated under the Wildlife Resources Code; or

(c) any wildlife in that person's possession.

(2) Any conservation officer who has a reasonable belief that a person is engaged in any activity regulated under this title may stop and detain that person in order to demand and inspect:

(a) the required license, permit or tag;

(b) any device or apparatus in that person's possession used for any activity regulated under the Wildlife Resources Code; or

(c) any wildlife in that person's possession.

IV. Hunting Accommodations For Disabled People

A. Companion Hunting

23-19-1 & R657-12

(1) A person may take a deer or elk for a person who is legally blind or quadriplegic provided the blind or quadriplegic person:

(a) satisfies hunter education requirements as provided in Section 23-19-11 and Rule R657-23;

(b) possesses the appropriate permit and tag;

(c) obtains a Certificate of Registration from the Division authorizing the companion to take a deer or elk for the blind or quadriplegic person; and

(d) is accompanied by a companion hunter who has satisfied the hunter education requirements provided in Section 23-19-11 and Rule R657-23.

(2) A person who is blind may obtain a Certificate of Registration from the Division by submitting a signed statement by a licensed ophthalmologist, optometrist or physician verifying that the applicant:

(a) has no more than 20/200 visual acuity in the better eye when corrected; or

(b) has, in the case of better than 20/200 central vision, a restriction of the field of vision in the better eye which subtends an angle of vision 20 degrees or less.

(3)(a) A person who is quadriplegic may obtain a Certificate of Registration from the Division upon submitting evidence of the disability.

(b) The Division shall accept the following as evidence of an applicant's disability:

(i) obvious physical disability demonstrating the applicant is quadriplegic as defined in Subsection (6); or

(ii) a signed statement from a licensed physician verifying that the applicant is quadriplegic as defined in Subsection (6).

(4) The blind or quadriplegic person must be accompanied by the companion hunter at all times while hunting, at the time of take, and while transporting the deer or elk.

(5) A person who is paraplegic, or otherwise permanently disabled so as to be permanently confined to a wheelchair or the use of crutches, or who has lost either or both lower extremities, and who possesses a valid big game permit may receive a Certificate of Registration to take big game from a vehicle as provided in Section VII.H.

B. Crossbows

R657-12

(1)(a) A person who has a permanent physical impairment due to injury or disease, congenital or acquired, which renders the person so severely disabled as to be unable to use conventional archery equipment may receive a Certificate of Registration to use a crossbow to hunt big game during the respective archery or any weapon hunting seasons.

(b) The Division shall accept the following as evidence of eligibility to use a crossbow:

(i) obvious physical disability, as provided in Subsection

(1)(a), demonstrating the applicant is eligible to use a crossbow; or

(ii) the person provides a physician's statement confirming the disability as defined in Subsection (1)(a).

(2)(a) Any crossbow used to hunt big game must have:

(i) a stock that is at least 18 inches long;

(ii) a minimum draw weight of 125 pounds;

(iii) a draw length that is at least 18 inches from the front of the crossbow to the back of the string in a cocked position; and

(iv) a positive safety mechanism.

(b) Arrows or bolts used must be:

(i) at least 18 inches long; and

(ii) must have a broadhead with two or more sharp cutting edges that cannot pass through a 7/8 inch ring.

(3) The following equipment or devices may not be used to take big game:

(a) arrows with chemically treated or explosive arrowheads; or

(b) a bow with an attached electronic range finding device or a magnifying aiming device.

(4) Arrows or bolts carried in or on a vehicle where a person is riding must be in an arrow quiver or a closed case.

(5) A cocked crossbow may not be carried in or on a vehicle.

C. Special Season Extension for Disabled Persons

R657-12

(1) A person may obtain a Certificate of Registration from a Division office requesting an extension of 30 days for any limited entry hunt, provided the person requesting the extension:

(a) is blind, quadriplegic, paraplegic, or otherwise permanently disabled so as to be permanently confined to a wheelchair or the use of crutches, or who has lost either or both lower extremities;

(b) satisfies hunter education requirements as provided in Section 23-19-11 and Rule R657-23; and

(c) obtains the appropriate permit and tag.

(2) The Division shall not issue a Certificate of Registration for a 30-day extension on any limited entry hunt where the extension will violate federal law.

V. Sales Of Licenses, Certificates Or Permits Final — Exceptions And Reallocation Of Surrendered Permits

23-19-38 & R657-42

A. Sales Final

(1) Sales of all licenses, certificates or permits are final, and no refunds may be made by the Division except as provided in Subsection (2).

(2) The Division may refund the amount of the license, certificate or permit if:

(a) the Division or the Wildlife Board discontinues the activity for which the license, certificate or permit was obtained;

(b) the Division determines that it has erroneously collected a fee;

(c)(i) a person is not able to participate in a permitted activity due to illness or injury;

(ii) the person furnishes verification of illness or injury from a physician; and

(iii) the permit is surrendered before the season for which the permit was issued begins; or

(d) the person to whom the license, certificate or permit is issued dies prior to that person being able to participate in the activity for which the license, certificate or permit was obtained.

(e) is a member of the armed forces and qualifies under stipulations of Section V.F.

B. Surrender of Licenses, Certificates of Registration and Permits

(1) Any person who has obtained a license, Certificate of Registration or permit and decides not to use it, may surrender the license, Certificate of Registration or permit to any Division office.

(2)(a) Any person who has obtained a license, Certificate of Registration or permit may surrender the license, Certificate of Registration or permit prior to the season opening date of the license, Certificate of Registration or permit for the purpose of:

(i) waiving the waiting period normally assessed and

reinstating the number of bonus points, including a bonus point for the current year as if a permit had not been drawn, if applicable; or

(ii) purchasing a reallocated permit or any other permit available for which the person is eligible.

(b) Preference points shall not be reinstated when surrendering the applicable permits.

(3) A Cooperative Wildlife Management Unit permit must be surrendered before the following dates:

- (a) the opening date for the respective general archery season for buck deer, bull elk or spike bull elk;
- (b) September 1 for pronghorn and moose;
- (c) August 15 for antlerless deer and elk;
- (d) prior to the applicable season opening date for small game and waterfowl; and
- (e) prior to the applicable season opening date of any variance approved by the Wildlife Board in accordance with Rules R657-21 and R657-37.

(4) Dedicated hunter participants must surrender their permit prior to the general archery deer season opening date.

(5) The Division may not issue a refund, except as provided in Section V.A. Sales Final.

C. Reallocation of Permits

(1)(a) The Division may reallocate surrendered limited entry, once-in-a-lifetime and Cooperative Wildlife Management Unit permits.

(b) The Division shall not reallocate resident and nonresident big game general permits.

(2) Permits shall be reallocated through the Salt Lake Division office.

(3)(a) Any limited entry, once-in-a-lifetime or public Cooperative Wildlife Management Unit permit surrendered to the Division shall be reallocated through the drawing process by contacting the next person listed on the alternate drawing list or as provided in Subsection (b).

(b) A person who is denied a permit due to an error in issuing permits may be placed on the alternate drawing list to address the error, if applicable, in accordance with the Division Error Remedy Rule R657-50.

(c) The alternate drawing lists are classified as private and therefore, protected under the Government Records Access Management Act.

(d) The Division shall make a reasonable effort to contact the next person on the alternate list by telephone or mail.

(e) If the next person, who would have drawn the limited entry, once-in-a-lifetime or public Cooperative Wildlife Management Unit permit, does not accept the permit or the Division is unable to contact that person, the reallocation process will continue until the Division has reallocated the permit or the season closes for that permit.

(4) If the next person, who would have drawn the limited entry, once-in-a-lifetime or public Cooperative Wildlife Management Unit permit has obtained a permit, that person may be required to surrender the previously obtained permit in accordance with Section V.B.(2). Surrender of Licenses, Certificates of Registration and Permits, and any other applicable rules and proclamations of the Wildlife Board.

(5) Any private Cooperative Wildlife Management Unit permit surrendered to the Division will be reallocated by the landowner through a voucher, issued to the landowner by the Division in accordance with Rule R657-37.

(6)(a) The Division may allocate additional general and limited entry permits, if biologically consistent with unit objectives, to address errors in accordance with the Division Error Remedy Rule R657-50.

(b) The Division shall not allocate additional Cooperative Wildlife Management Unit and Once-In-A-Lifetime permits.

(c) The Division may extend deadlines to address errors in accordance with the Division Error Remedy Rule R657-50.

D. Reallocated Permit Cost.

(1) Any person who accepts the offered reallocated permit must pay the applicable permit fee.

(2) The Division may not issue a refund, except as provided in Section V.A. Sales Final.

E. Permit Exchanges

(1)(a) Any person who has obtained a general buck deer or general bull elk permit may exchange that permit for any other available general permit if both permits are for the same species and sex.

(b) A person must make general buck deer, general bull elk or general archery elk permit exchanges at any Division office prior to the season opening date of the permit to be exchanged.

(2) A \$5 handling fee will be charged for the exchange of a permit.

F. Refunds for Armed Forces Members

23-19-38.2 & R657-42

(1) A member of the United States Armed Forces or public health or public safety organization who is mobilized or deployed on order in the interest of national defense or emergency and is precluded from participating in the hunting or fishing activity for which the person purchased a license, certificate, tag, or permit, may:

(a) receive a refund from the Division; and

(b) if the person has drawn a permit, have all opportunities to draw that permit in a future drawing reinstated.

(2)(a) An application for a refund may be obtained from any Division office.

(b) All refunds must be processed through the Salt Lake Division office.

(3) A person may receive a refund in accordance with Subsection (3) for a license, permit, or certificate of registration if that person was deployed or mobilized on or after September 11, 2001, in the interest of national defense or national emergency and is thereby completely precluded from participating in the hunting or fishing activity authorized by the license, permit or Certificate of Registration, provided:

(a) the refund request is made to the Division within one year of the end of the hunting or fishing season authorized by the license, permit or Certificate of Registration;

(b) the person surrenders the license, permit or Certificate of Registration to the Division, or signs an affidavit stating the license, permit or Certificate of Registration is no longer in the person's possession; and

(c) the person verifies that the deployment or mobilization completely precluded them from participating in the activity authorized by the license, permit or Certificate of Registration, except as provided in Subsection (4); and

(d) the person provides military orders, or a letter from an employment supervisor on official public health or public safety organization letterhead stating:

(i) the branch of the United States Armed Forces, or name of the public health organization or public safety organization from which they were deployed or mobilized; and

(ii) the nature and length of their duty while deployed or mobilized.

(4) The director may determine that a person deployed or mobilized did not have the opportunity to participate in the activity authorized by the license, permit or Certificate of Registration.

(5) The division may reinstate a bonus point or preference point, whichever is applicable, and waive waiting periods, if applicable, when issuing a refund in accordance with Subsection (3).

VI. General Provisions

A. Hunting Hours

R657-5-6

Big game may be taken only between one-half hour before official sunrise through one-half hour after official sunset.

B. Requirement to Wear Hunter Orange

23-20-31

(1) As used in this section:

(a)(i) **"Centerfire rifle hunt"** means a hunt for which a hunter may use a centerfire rifle, except as provided in Subsection (1)(a)(ii).

(ii) **"Centerfire rifle hunt"** does not include:

- (A) a bighorn sheep hunt;
- (B) a mountain goat hunt;
- (C) a hunt requiring the hunter to possess a statewide conservation permit; or
- (D) a hunt requiring the hunter to possess a statewide sportsman permit.

(b) **"Statewide conservation permit"** means a permit:

(i) issued by the Division;

(ii) distributed through a nonprofit organization founded for the purpose of promoting wildlife conservation; and

(iii) valid:

- (A) on open hunting units statewide; and
- (B) for the species of big game and time period designated by the Wildlife Board.

(c) **"Statewide sportsman permit"** means a permit:

(i) issued by the Division through the big game drawing; and

(ii) valid:

- (A) on open hunting units statewide; and
- (B) for the species of big game and time period designated by the Wildlife Board.

(2)(a) A person shall wear a minimum of 400 square inches of hunter orange material while hunting any species of big game, except as provided in Subsection (3).

(b) Hunter orange material must be worn on the head, chest and back.

(c) A camouflage pattern in hunter orange does not meet the requirements of Subsection (2)(a).

(3) A person is not required to wear hunter orange material during an archery, muzzleloader, mountain goat, or bighorn sheep hunt, unless a centerfire rifle hunt is in progress in the same area.

C. Temporary Game Preserves

R657-5-7

(1)(a) A person who does not have a valid permit to hunt on a temporary game preserve may not carry a firearm or archery equipment on any temporary game preserve while the respective hunts are in progress.

(b) **"Carry"** means having a firearm on your person while hunting in the field.

(2) As used in this section, "temporary game preserve" means all bull elk, buck pronghorn, moose, bison, bighorn sheep, Rocky Mountain goat and limited entry buck deer areas and Cooperative Wildlife Management units, excluding incorporated areas, cities, towns and municipalities.

(3) Weapon restrictions on temporary game preserves do not apply to:

(a) a person licensed to hunt upland game or waterfowl provided the person complies with the rules and regulations specified in the

Upland Game Proclamation or Waterfowl Proclamation, respectively, and possessing only legal weapons to take upland game or waterfowl;

(b) livestock owners protecting their livestock;

(c) peace officers in the performance of their duties; or

(d) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take protected wildlife.

VII. Firearms And Archery Equipment

A. Prohibited Weapons

R657-5-8

(1) A person may not use any weapon or device to take big game other than those expressly permitted in this proclamation.

(2) A person may not use:

(a) a firearm capable of being fired fully automatic; or

(b) any light enhancement device or aiming device that casts a beam of light.

B. Rifles and Shotguns

R657-5-9

(1) The following rifles and shotguns may be used to take big game:

(a) any rifle firing centerfire cartridges and expanding bullets; and

(b) a shotgun, 20 gauge or larger, firing only 00 or larger buckshot or slug ammunition.

C. Handguns

R657-5-10

(1) A handgun may be used to take deer and pronghorn, provided the handgun is a minimum of .24 caliber, fires a centerfire cartridge with an expanding bullet and develops 500 foot-pounds of energy at the muzzle.

(2) A handgun may be used to take elk, moose, bison, bighorn sheep and Rocky Mountain goat provided the handgun is a minimum of .24 caliber, fires a centerfire cartridge with an expanding bullet and develops 500 foot-pounds of energy at 100 yards.

D. Muzzleloaders

R657-5-11

(1) A muzzleloader may be used during any big game hunt, except an archery hunt, provided the muzzleloader:

(a) can be loaded only from the muzzle;

(b) has open sights, peep sights, or a fixed non-magnifying 1x scope;

(c) has a single barrel;

(d) has a minimum barrel length of 18 inches;

(e) is capable of being fired only once without reloading;

(f) powder and bullet, or powder, sabot and bullet are not bonded together as one unit for loading; and

(g) is loaded with black powder or black powder substitute, which must not contain nitrocellulose based smokeless powder.

(2)(a) A lead or expanding bullet or projectile of at least 40 caliber must be used to hunt big game.

(b) A 170 grain or heavier bullet, including sabots, must be used for taking deer and pronghorn.

(c) A 210 grain or heavier bullet must be used for taking elk, moose, bison, bighorn sheep and Rocky Mountain goat, except sabot bullets used for taking these species must be a minimum of 240 grains.

(3)(a) A person who has obtained a muzzleloader permit may not possess or be in control of any firearm other than a muzzleloading rifle or have a firearm other than a muzzleloading rifle in his camp or motor vehicle during a muzzleloader hunt.

- (b) The provisions of Subsection (a) do not apply to:
- (i) a person licensed to hunt upland game or waterfowl provided the person complies with the rules and regulations specified in the Upland Game or Waterfowl Proclamation, respectively; and possessing only legal weapons to take upland game or waterfowl;
 - (ii) a person licensed to hunt big game species during hunts that coincide with the muzzleloader hunt;
 - (iii) livestock owners protecting their livestock; or
 - (iv) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take protected wildlife.

E. Archery Equipment

R657-5-12

(1) Archery equipment may be used during any big game hunt, except a muzzleloader hunt, provided:

- (a) the minimum bow pull is 40 pounds at the draw or the peak, whichever comes first; and
- (b) arrowheads used have two or more sharp cutting edges that cannot pass through a 7/8 inch ring;
- (c) expanding arrowheads cannot pass through a 7/8 inch ring when expanded; and
- (d) arrows must be a minimum of 20 inches in length from the tip of the arrowhead to the tip of the nock, and must weigh at least 300 grains.

(2) The following equipment or devices may not be used to take big game:

- (a) a crossbow, except as provided in Section IV.B., Crossbows;
- (b) arrows with chemically treated or explosive arrowheads;
- (c) a mechanical device for holding the bow at any increment of draw;
- (d) a release aid that is not hand-held or that supports the draw weight of the bow; or
- (e) a bow with an attached electronic range finding device or a magnifying aiming device.

(3) Arrows carried in or on a vehicle where a person is riding must be in an arrow quiver or a closed case.

(4)(a) A person who has obtained an archery permit may not possess or be in control of a firearm or have a firearm in his camp or motor vehicle during an archery hunt.

- (b) The provisions of Subsection (a) do not apply to:
- (i) a person licensed to hunt upland game or waterfowl provided the person complies with the rules and regulations specified in the Upland Game or Waterfowl Proclamation, respectively, and possessing only legal weapons to take upland game or waterfowl;
 - (ii) a person licensed to hunt big game species during hunts that coincide with the archery hunt;
 - (iii) livestock owners protecting their livestock; or
 - (iv) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take protected wildlife.

F. Loaded Firearm Restrictions

76-10-502 & 76-10-505

(1) A person may not carry a loaded firearm in or on a vehicle.

(2) A pistol, revolver, shotgun or rifle is deemed to be loaded when there is an unexpended cartridge, shell or projectile in the firing position.

(3) Pistols and revolvers shall also be deemed to be loaded when an unexpended cartridge, shell or projectile is in a position whereby the manual operation of any mechanism once would cause the unexpended cartridge, shell or projectile to be fired.

(4) A muzzleloading firearm shall be deemed to be loaded when it is capped or primed and has a powder charge and ball or shot in the barrel or cylinders.

G. Discharge of a Firearm From a Vehicle, Highway, or Near Certain Property or Structures

76-10-508 & R657-12

(1) A person may not discharge any kind of dangerous weapon or firearm:

- (a) from an automobile or other vehicle, except as provided in Subsection (2);
- (b) from, upon or across any highway;
- (c) at any road signs placed upon any highways of the state;
- (d) at any communications equipment or property of public utilities including facilities, lines, poles or devices of transmission or distribution;
- (e) at railroad equipment or facilities including any sign or signal;
- (f) within Utah State Park buildings, designated camp or picnic sites, overlooks, golf courses, boat ramps and developed beaches; or
- (g) without written permission to discharge the dangerous weapon from the owner or person in charge of the property within 600 feet of:
 - (i) a house, dwelling or any other building; or
 - (ii) any structure in which a domestic animal is kept or fed, including a barn, poultry yard, corral, feeding pen or stockyard.

(2) A person who is paraplegic, or otherwise permanently disabled so as to be permanently confined to a wheelchair or the use of crutches, or who has lost either or both lower extremities, and who possesses a valid big game permit may receive a Certificate of Registration to take big game from a vehicle pursuant to Section 23-20-12 and Rule R657-12.

H. Carrying a Dangerous Weapon While Under Influence of Alcohol or Drugs

76-10-528

(1) Any person who carries a dangerous weapon while under the influence of alcohol or a controlled substance as defined in Section 58-37-2 is guilty of a class B misdemeanor. Under the influence means the same level blood or breath alcohol concentration as provided in Section 41-6-44.

(2) It is not a defense to prosecution under this section that the person:

- (a) is licensed in the pursuit of wildlife of any kind; or
- (b) has a valid permit to carry a concealed firearm.

I. Restrictions on Possession of Dangerous Weapons

76-10-503

- (1) For purposes of this section:
 - (a) A Category I restricted person is a person who:
 - (i) has been convicted of any violent felony as defined in Section 76-3-203.5;
 - (ii) is on probation or parole for any felony;
 - (iii) is on parole from a secure facility as defined in Section 62A-7-101; or
 - (iv) within the last ten years has been adjudicated delinquent for an offense which if committed by an adult would have been a violent felony as defined in Section 76-3-203.5.
 - (b) A Category II restricted person is a person who:
 - (i) has been convicted of or is under indictment for any felony;
 - (ii) within the last seven years has been adjudicated delinquent for an offense which if committed by an adult would have been a felony;
 - (iii) is an unlawful user of a controlled substance as defined in Section 58-37-2;
 - (iv) is in possession of a dangerous weapon and is knowingly and intentionally in unlawful possession of a Schedule I controlled substance as defined in Section 58-37-2;
 - (v) has been found not guilty by reason of insanity for a felony offense;
 - (vi) has been found mentally incompetent to stand trial for a felony offense;
 - (vii) has been adjudicated as mentally defective as provided in the Brady Handgun Violence Prevention Act, Pub. L. No. 103 159, 107 Stat. 1536 (1993), or has been committed to a mental institution;
 - (viii) is an alien who is illegally or unlawfully in the United States;
 - (ix) has been dishonorably discharged from the armed forces; or
 - (x) has renounced his citizenship after having been a citizen of the United States.
- (2) A Category I restricted person who purchases, transfers, possesses, uses, or has under his custody or control:
 - (a) any firearm is guilty of a second degree felony; or
 - (b) any dangerous weapon other than a firearm is guilty of a third degree felony.
- (3) A Category II restricted person who purchases, transfers, possesses, uses, or has under his custody or control:
 - (a) any firearm is guilty of a third degree felony; or
 - (b) any dangerous weapon other than a firearm is guilty of a class A misdemeanor.
- (4) A person may be subject to the restrictions of both categories at the same time.
- (5) If a higher penalty than is prescribed in this section is provided in another section for one who purchases, transfers, possesses, uses, or has under this custody or control any dangerous weapon, the penalties of that section control.

VIII. Areas With Special Restrictions

R657-5-13

A. State Waterfowl Management Areas

State Waterfowl Management Areas are closed to taking big game, except the Stewart's Lake Waterfowl Management Area is open.

B. State Parks

R651-603-5 & R651-603-6

(1) Hunting of any wildlife is prohibited within the boundaries of all park areas, except those designated open by the Division of Parks and Recreation in Rule R651-603-5.

(2) Hunting with rifles and handguns in park areas designated open is prohibited within one mile of all park area facilities, including buildings, camp or picnic sites, overlooks, golf courses, boat ramps and developed beaches. Hunting with shotguns or archery equipment is prohibited within one-quarter mile of the areas stated above.

C. National Parks and Monuments

Hunting is closed within the boundaries of all national parks and monuments unless otherwise provided by the governing agency.

The Grand Staircase-Escalante National Monument is open to hunting, fishing and trapping activities by Presidential Decree, subject to rules and regulations adopted by the Utah Wildlife Board.

D. Tribal Trust Lands

Hunters obtaining a Utah license, permit or tag to take big game are not authorized to hunt on tribal trust lands. Hunters must observe tribal regulations concerning wildlife while hunting on tribal trust lands.

E. Military Installations

Military installations, including Camp Williams, are closed to hunting and trespassing unless otherwise authorized.

F. Salt Lake County

- (1) A person may not:
 - (a) hunt big game within one-half mile of Silver Lake in Big Cottonwood Canyon;
 - (b) hunt big game or discharge a shotgun or archery equipment within 600 feet of a road, house or any other building; or
 - (c) discharge a rifle, handgun, shotgun firing slug ammunition, or muzzleloader within one mile of a cabin, house or other building regularly occupied by people, except west of I-15 a muzzleloader may not be discharged within one-half mile of a cabin, house or other building regularly occupied by people.
- (2) Check special regulations under general season buck deer (Section XIX.B.(2)(a)), general muzzleloader buck deer (Section XIX.C.(2)(b)), general season bull elk (Section XX.B.(1)(a)), and general muzzleloader elk (Section XX.C.(1)(a)) for restrictions in Salt Lake County.
- (3) Please check Salt Lake County and local municipality ordinances regarding firearm restrictions prior to hunting in the Salt Lake County area.

G. Alta

Closed to hunting within a designated portion of the town of Alta. Hunters may refer to the town of Alta for boundaries and other information.

H. Matheson Wetlands

Hunters are restricted to using archery equipment, muzzleloaders or shotguns on the Matheson Wetlands.

I. County and Local Municipalities — Ordinances

Please check county and local municipality ordinances regarding firearm restrictions prior to hunting.

IX. Prohibited Hunting Methods

A. Spotlighting

R657-5-14

(1) Except as provided in Section 23-13-17:

(a) a person may not use or cast the rays of any spotlight, headlight or other artificial light to locate protected wildlife while having in possession a firearm or other weapon or device that could be used to take or injure protected wildlife; and

(b) the use of a spotlight or other artificial light in a field, woodland or forest where protected wildlife are generally found is prima facie evidence of attempting to locate protected wildlife.

(2) The provisions of this section do not apply to:

(a) the use of headlights or other artificial light in a usual manner where there is no attempt or intent to locate protected wildlife; or

(b) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed firearm to hunt or take wildlife.

B. Use of Vehicle or Aircraft

23-20-12 & R657-5-15

(1)(a) A person may not use an airplane or any other airborne vehicle or device, or any motorized terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles, except a vessel as provided in Subsection (c), to take protected wildlife.

(b) A person may not take protected wildlife being chased, harmed, harassed, rallied, herded, flushed, pursued or moved by an aircraft or any other vehicle or conveyance listed in Subsection (a).

(c) Big game may be taken from a vessel provided:

(i) the motor of a motorboat has been completely shut off;

(ii) the sails of a sailboat have been furled; and

(iii) the vessel's progress caused by the motor or sail has ceased.

(2)(a) A person may not use any type of aircraft, except as provided in Subsection (3), from 48 hours before any big game hunt begins through 48 hours after any big game hunting season ends to:

(i) transport a hunter or hunting equipment into a hunting area;

(ii) transport a big game carcass; or

(iii) locate, or attempt to observe or locate any protected wildlife.

(b) Flying slowly at low altitudes, hovering, circling or repeatedly flying over a forest, marsh, field, woodland or rangeland where protected wildlife is likely to be found may be used as evidence of violations of Subsections (1) and (2).

(3) The provisions of this section do not apply to the operation of an aircraft in a usual manner, or landings and departures from improved airstrips, where there is no attempt or intent to locate protected wildlife.

C. Use of Dogs

23-20-3 & R657-5-16

A person may not use the aid of a dog to take, chase, harm or harass big game.

D. Party Hunting

R657-5-16

A person may not take big game for another person, except as provided in Section IV.A., Companion Hunting.

E. Big Game Contests

R657-5-17

A person may not enter or hold a big game contest that:

(1) is based on big game or their parts; and

(2) offers cash or prizes totaling more than \$500.

X. Tagging, Transporting And Exporting Big Game

A. Tagging

23-20-30 & R657-5-18

(1) The carcass of any species of big game must be tagged before the carcass is moved from or the hunter leaves the site of kill.

(2) To tag a carcass, a person shall:

(a) completely detach the tag from the permit;

(b) completely remove the appropriate notches to correspond with:

(i) the date the animal was taken; and

(ii) the sex of the animal; and

(c) attach the tag to the carcass so that the tag remains securely fastened and visible.

(3) A person may not:

(a) remove more than one notch indicating date or sex; or

(b) tag more than one carcass using the same tag.

(4) A person may not hunt or pursue big game after any of the notches have been removed from the tag or the tag has been detached from the permit.

(5) The tag must remain with the largest portion of the meat until the animal is entirely consumed.

B. Transporting Big Game Within Utah

R657-5-19

(1) A person may transport big game within Utah only as follows:

(a) the head or sex organs must remain attached to the largest portion of the carcass;

(b) the antlers attached to the skull plate must be transported with the carcass of an elk taken in a spike bull unit; and

(c) the person who harvested the big game animal must accompany the carcass and must possess a valid permit corresponding to the tag attached to the carcass, except as provided in Subsection (2).

(2) A person who did not take the big game animal may transport it only after obtaining a shipping permit or disposal receipt from the Division or a donation slip as provided in Section XI.A., Donating.

C. Exporting Big Game From Utah

R657-5-20

A person may export big game or their parts from Utah only if:

(1) the person who harvested the big game animal accompanies it and possesses a valid permit corresponding to the tag which must be attached to the largest portion of the carcass; or

(2) the person exporting the big game animal or its parts, if it is not the person who harvested the animal, has obtained a shipping permit from the Division.

D. Carcass Importation

R657-5-69

(1) It is unlawful to import dead elk, mule deer, or white-tailed deer or their parts from the areas of any state, province, game management unit, equivalent wildlife management unit, or county, which has deer or elk diagnosed with Chronic Wasting Disease, except the following portions of the carcass:

- (a) meat that is cut and wrapped either commercially or privately;
- (b) quarters or other portion of meat with no part of the spinal column or head attached;
- (c) meat that is boned out;
- (d) hides with no heads attached;
- (e) skull plates with antlers attached that have been cleaned of all meat and tissue;
- (f) antlers with no meat or tissue attached;
- (g) upper canine teeth, also known as buglers, whistlers, or ivories; or
- (h) finished taxidermy heads.

(2)(a) The affected states, provinces, game management units, equivalent wildlife management units, or counties, which have deer or elk diagnosed with Chronic Wasting Disease shall be available at division offices and through the division's Internet address.

(b) Importation of harvested elk, mule deer or white-tailed deer or their parts from the affected areas are hereby restricted pursuant to Subsection (1).

(3) Nonresidents of Utah transporting harvested elk, mule deer, or white-tailed deer from the affected areas are exempt if they:

- (a) do not leave any part of the harvested animal in Utah and do not stay more than 24 hours in the state of Utah;
- (b) do not have their deer or elk processed in Utah; or
- (c) do not leave any parts of the carcass in Utah.

XI. Possession And Use Of Big Game

A. Donating

23-20-9

(1) A person may donate protected wildlife or their parts to another person only at the following places:

- (a) the residence of the donor;
- (b) the residence of the person receiving protected wildlife or their parts;
- (c) a meat locker;
- (d) a storage plant; or
- (e) a meat processing facility.

(2) A written statement of donation must be kept with the protected wildlife or parts showing:

- (a) the number and species of protected wildlife or parts donated;
- (b) the date of donation;
- (c) the license or permit number of the donor; and
- (d) the signature of the donor.

(3) Notwithstanding Subsections (1) and (2), a person may donate the hide of a big game animal to another person or organization at any place without a donation slip.

B. Waste of Wildlife

23-20-8

A person may not waste or permit to be wasted or spoiled any protected wildlife or any part of them.

C. Purchasing or Selling Big Game or Their Parts

23-20-3 & R657-5-21

(1) A person may not purchase, sell, offer or possess for sale, barter, exchange or trade any big game or their parts, except as follows:

- (a) Antlers, heads and horns of legally taken big game may be purchased or sold only between February 15, 2003 through August 9, 2003;
- (b) Untanned hides of legally taken big game may be purchased or sold only between August 20, 2003 through February 15, 2004;
- (c) Inedible byproducts, excluding hides, antlers and horns, of legally possessed big game as provided in Subsection 23-20 3(1)(d), may be purchased or sold at any time;
- (d) tanned hides of legally taken big game may be purchased or sold at any time; and
- (e) shed antlers and horns may be purchased or sold at any time.

(2)(a) Protected wildlife that is unlawfully taken and seized by the Division may be sold at any time by the Division or its agent.

(b) A person may purchase protected wildlife, which is sold in accordance with Subsection (2)(a), at any time.

(3) A person selling or purchasing antlers, heads, horns or untanned hides shall keep transaction records stating:

- (a) the name and address of the person who harvested the animal;
- (b) the transaction date; and
- (c) the permit number of the person who harvested the animal.

(4) Subsection (3) does not apply to scouting programs or other charitable organizations using untanned hides.

D. Possession of Antlers and Horns

R657-5-22

(1) A person may possess antlers or horns or parts of antlers or horns only from:

- (a) lawfully harvested big game;
- (b) antlers or horns lawfully purchased as provided in Section XI.C., Purchasing or Selling Big Game or Their Parts; or
- (c) shed antlers or horns.

(2) "Shed antler" means an antler which:

- (a) has been dropped naturally from a big game animal as part of its annual life cycle; and
- (b) has a rounded base commonly known as the antler button or burr attached which signifies a natural life cycle process.

(3) "Shed horn" means the sheath from the horn of a pronghorn that has been dropped naturally as part of its annual life cycle. No other big game species shed their horns naturally.

XII. Aiding And Assisting

23-20-23

It is unlawful for any person to aid or assist any other person to violate any provisions of the Wildlife Resources Code or any rules or

proclamations promulgated under it. The penalty for violating this section is the same as for the provision for which aid or assistance is given.

XIII. Use Of Motorized Vehicles

Motorized vehicle travel restrictions on state wildlife management areas will be posted and strictly enforced on the respective areas.

XIV. Trespass

23-20-14 & 23-20-3.5

- (1) While taking wildlife or engaging in wildlife related activities, a person may not:
- (a) without the permission of the owner or person in charge, enter upon privately owned land that is cultivated or properly posted;
 - (b) refuse to immediately leave the private land if requested to do so by the owner or person in charge; or
 - (c) obstruct any entrance or exit to private property.
- (2) "**Cultivated Land**" means land which is readily identifiable as:
- (a) land whose soil is loosened or broken up for the raising of crops;
 - (b) land used for the raising of crops; or
 - (c) pasturage which is artificially irrigated.
- (3) "**Permission**" means written authorization from the owner or person in charge to enter upon private land that is properly posted, and must include:
- (a) the signature of the owner or person in charge;
 - (b) the name of the person being given permission;
 - (c) the appropriate dates; and
 - (d) a general description of the property.
- (4) "**Properly posted**" means that "**No Trespassing**" signs or a minimum of 100 square inches of bright yellow, bright orange, or fluorescent paint are displayed at all corners, fishing streams crossing property lines, roads, gates and rights-of-way entering the land. If metal fence posts are used, the entire exterior side must be painted.
- (5) A person may not post:
- (a) private property he does not own or legally control; or
 - (b) land that is open to the public as provided by Section 23-21-4.
- (6) A person convicted of violating any provision of Subsection (1) may have his license, tag, Certificate of Registration or permit relating to the activity engaged in at the time of the violation, revoked by a hearing officer.
- (7) A person may not take or permit his dog to take, while in violation of Subsection (1):
- (a) protected wildlife or their parts;
 - (b) an occupied nest of protected wildlife; or
 - (c) an egg of protected wildlife.
- (8) A person is guilty of a class B misdemeanor if he or she violates any provision of Subsection (1).

XV. Administrative Check Points

The Division monitors the taking and possession of wildlife, the required licenses, permits, tags and Certificates of Registration, and firearms, devices and apparatuses used for hunting.

Hunters should expect to encounter conservation officers or biologists checking hunters in the field, at checking stations and check points.

These contacts allow the Division to collect valuable information concerning wildlife populations and trends as well as helping to fulfill the Division's responsibility as trustee and custodian of wildlife.

XVI. Poaching-Reported Reward Permits

R657-5-23

(1) Any person who provides information leading to another person's arrest and successful prosecution for wanton destruction of a buck deer, bull elk, buck pronghorn, bull moose, bison, desert bighorn ram, Rocky Mountain bighorn ram, or Rocky Mountain goat under Section 23-20-4 for any once-in-a-lifetime species or within any limited entry area may receive a permit from the Division to hunt for the same species and on the same once-in-a-lifetime or limited entry area where the violation occurred, except as provided in Subsection (2).

(2)(a) In the event that issuance of a Poaching-Reported Reward Permit would exceed 5 percent of the total number of once in-a-lifetime or limited entry permits issued in the following year for the respective area, a permit shall not be issued for that respective area. As an alternative, the Division may issue a permit as outlined in Subsections (b) or (c).

(b) If the illegally taken animal is a bull moose, bison, desert bighorn ram, Rocky Mountain bighorn ram or Rocky Mountain goat, a permit for an alternative species and an alternative once-in-a-lifetime or limited entry area that has been allocated more than 20 permits may be issued.

(c) If the illegally taken animal is a buck deer, bull elk or buck pronghorn, a permit for the same species on an alternative limited entry area that has been allocated more than 20 permits may be issued.

(3)(a) The Division may issue only one Poaching-Reported Reward Permit for any one animal illegally taken.

(b) No more than one Poaching-Reported Reward Permit shall be issued to any one person per successful prosecution.

(c) No more than one Poaching-Reported Reward Permit per species shall be issued to any one person in any one calendar year.

(4)(a) Poaching-Reported Reward permits may only be issued to the person who provides the most pertinent information leading to a successful prosecution. Permits are not transferrable.

(b) If information is received from more than one person, the director of the Division shall make a determination based on the facts of the case, as to which person provided the most pertinent information leading to the successful prosecution in the case.

(c) The person providing the most pertinent information shall qualify for the Poaching-Reported Reward Permit.

(5) Any person who receives a Poaching-Reported Reward Permit must be eligible to hunt and obtain big game permits as provided in all rules and regulations of the Wildlife Board and the Wildlife Resources Code.

(6) For purposes of this section, "**successful prosecution**" means the screening, filing of charges and subsequent adjudication for the poaching incident.